

REMARKS

Claims 1-45 are pending in the application. Claims 1-45 stand rejected by the examiner. Assignee traverses the instant claim rejections.

Assignee's representatives would like to thank examiner Tamara Teslovich for the courtesies extended to assignee's representative John Biernacki during the telephone interview on October 9, 2008. The interview discussed the claim rejections under 35 U.S.C. § 112 (first and second paragraphs). The term "message transaction" was discussed as well as an amendment to clarify the processing of a message according to the method recited in claim 1. It was believed during the interview that such clarifying amendment would overcome the section 112 issues.

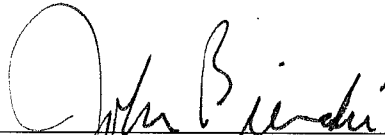
With respect to claims 1-45 that were rejected under 35 U.S.C. § 102(e) as being anticipated by Schneier (U.S. Pat. 5,956,404), a prior office action indicated that applicant's arguments with respect to Schneier's failure to specifically disclose the two part use of an ephemeral key pair were persuasive. However, the examiner maintained the section 102 rejections because of the section 112 issues (that were discussed during the interview). Applicant maintains that in view of the claim amendments and remarks set forth herein, the section 112 rejections have now been overcome, and thus the section 102 rejection over Schneier should be withdrawn.

[Continued on the next page]

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

By: 

John V. Biernacki
Reg. No. 40,511
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
(216) 586-3939